

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TODD TONNOCHY,

Plaintiff

v.

BRADLEY LEWIS, *et al.*,

Defendants

Case No. 3:24-cv-00375-ART-CSD

ORDER**I. DISCUSSION**

On September 13, 2024, the Court denied Plaintiff's application to proceed *in forma pauperis* as incomplete and directed Plaintiff to file a new fully complete application to proceed *in forma pauperis* or pay the \$405 filing fee. (ECF No. 3). In response, Plaintiff filed two applications to proceed *in forma pauperis* using state court forms rather than this Court's approved forms. (ECF Nos. 5, 6).

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee in installments.

1 See 28 U.S.C. § 1915(b).

2 As explained above, Plaintiff did not use this Court's approved forms to file his
3 application to proceed *in forma pauperis*. The Court will grant Plaintiff an extension of
4 time to either pay the filing fee or file a complete application to proceed *in forma pauperis*
5 on this Court's approved forms.

6 **II. CONCLUSION**

7 For the foregoing reasons, it is ordered that Plaintiff's applications to proceed *in*
8 *forma pauperis* (ECF Nos. 5, 6) are **DENIED**.

9 It is further ordered that the Clerk of the Court will send Plaintiff the approved form
10 application to proceed *in forma pauperis* by an inmate, as well as the document entitled
11 information and instructions for filing an *in forma pauperis* application.

12 It is further ordered that Plaintiff has **until January 6, 2025**, to either pay the full
13 \$405 filing fee or file a complete application to proceed *in forma pauperis* on this Court's
14 approved forms.

15 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
16 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
17 to refile the case with the Court, under a new case number, when Plaintiff can file a
18 complete application to proceed *in forma pauperis* or pay the required filing fee.

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20 DATED THIS 4th day of December 2024.

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23 UNITED STATES MAGISTRATE JUDGE
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